

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

)  
DANNY PRATT, individually and on behalf of )  
all others similarly situated, )  
Plaintiff, ) Case No. 1:17-cv-01600  
v. ) Judge: Honorable Sara L. Ellis  
EVERALBUM, INC., a Delaware ) Mag. Judge: Honorable Susan E. Cox  
corporation )  
Defendant. )

**UNOPPOSED MOTION TO EXTEND DATE FOR DEFENDANT TO  
ANSWER OR OTHERWISE PLEAD IN RESPONSE TO COMPLAINT**

Defendant Everalbum, Inc. (“Ever”), by and through its undersigned counsel, respectfully files this unopposed motion for an extension until and including March 31, 2017 by which to answer or otherwise plead in response to Plaintiff Danny Pratt’s (“Plaintiff”) Class Action Complaint and Demand for Jury Trial (“Complaint”). In support of this motion, Ever states as follows:

1. On January 23, 2017, Plaintiff filed his Complaint in the Circuit Court of Cook County, Illinois, captioned *Danny Pratt, individually and on behalf of all others similarly situated v. Everalbum, Inc.*, Case No. 2017-CH-00994 (the “State Court Action”). Ever was served with the summons and Complaint in the State Court Action on January 30, 2017, and its response to the Complaint in the State Court Action was due March 1, 2017.

2. On March 1, 2017, Ever removed the State Court Action to this Court pursuant to 28 U.S.C. §§ 1332(a)(1), 1441 and 1446. *See* Notice of Removal [ECF # 1].

3. Pursuant to Federal Rule of Civil Procedure 81(c)(2)(C), Ever's response to the Complaint is currently due in this Court on March 8, 2017.

4. Counsel for Ever has conferred with counsel for Plaintiff, who has no objection to allowing Ever until and including March 31, 2017 by which time to answer or otherwise plead in response to the Complaint.

5. This is Ever's first request for an extension of time to respond to the Complaint.

6. The reason for this request is that the parties are currently engaged in discussions regarding Plaintiff's allegations, as addressed in Ever's corporate declaration attached to its Notice of Removal [ECF # 1-4], and Ever believes that the brief extension requested will facilitate those discussions. This motion is being filed for good cause, and not for any dilatory or improper purpose.

WHEREFORE, Ever respectfully moves this Court for an extension until and including March 31, 2017 by which to answer or otherwise plead in response to the Complaint.

Dated: March 3, 2017

Respectfully submitted,

/s/ John C. Gekas

One of the Attorneys for Defendant

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*Attorneys for Defendant Everalbum, Inc.*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on this 3rd day of March 2017, I filed a copy of the foregoing **Unopposed Motion to Extend Date for Defendant to Answer or Otherwise Plead in Response to Complaint** via the Court's CM/ECF system, thereby causing it to be served upon all counsel of record for Plaintiff.

*/s/John C. Gekas*

John C. Gekas